

**OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA**

FOURTH DAY'S PROCEEDINGS

**Thirty-First Regular Session of the Legislature
Under the Adoption of the
Constitution of 1974**

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Thursday, April 28, 2005

The Senate was called to order at 9:00 o'clock A.M., by Hon. Donald E. Hines, President of the Senate.

ROLL CALL

The roll being called, the following members answered to their names:

PRESENT

Mr. President	Dardenne	Marionneaux
Adley	Duplessis	McPherson
Amedee	Dupre	Michot
Bajoie	Fields	Mount
Barham	Fontenot	Murray
Boasso	Gautreaux B	Nevers
Broome	Gautreaux N	Schedler
Cain	Jackson	Smith
Chaisson	Jones	Theunissen
Cheek	Lentini	Ullo
Cravins	Malone	
Total - 32		

ABSENT

Ellington	Hollis	Romero
Heitmeier	Kostelka	
Total - 5		

The President of the Senate announced there were 32 Senators present and a quorum.

Prayer

The prayer was offered by Reverend Harold Haynes, following which the Senate joined in pledging allegiance to the flag of the United States of America.

Reading of the Journal

On motion of Senator Bajoie, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

Morning Hour

**Senate Resolutions
to be Adopted, Subject to Call**

The following Senate Resolutions to be adopted, subject to call, were taken up and acted upon as follows:

Called from the Calendar

Senator Marionneaux asked that Senate Resolution No. 16 be called from the Calendar at this time.

**SENATE RESOLUTION NO. 16—
BY SENATOR MARIONNEAUX**

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army Specialist Robert L. duSang upon his death in Operation Iraqi Freedom.

On motion of Senator Marionneaux, the resolution was read by title and adopted.

**Senate Bills and Joint Resolutions
on Second Reading
Reported by Committees**

The following Senate Bills and Joint Resolutions reported by Committees were taken up and acted upon as follows:

**SENATE BILL NO. 92—
BY SENATOR NEVERS**

AN ACT

To amend and reenact R.S. 36:477(C)(1), relative to the Department of Social Services; to provide with respect to the office of community services and its role in providing for the public child welfare functions of the state; to provide with respect to preventive services to prevent child abuse and neglect and family strengthening and support services; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Health and Welfare. On motion of Senator McPherson, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 265—

BY SENATOR HINES AND REPRESENTATIVE DURAND

AN ACT

To amend and reenact R.S. 37:1041(C)(2) and (4) and to enact R.S. 37:1041(C)(5), relative to the practice of optometry; to provide for modifications in current definitions; to provide for a definition of ophthalmic surgery; and to provide for related matters.

Reported favorably by the Committee on Health and Welfare. On motion of Senator McPherson, the bill was read by title, ordered engrossed, and passed to a third reading.

Rules Suspended

Senator Ullo asked for and obtained a suspension of the rules for the purpose of reverting to the Morning Hour.

**Introduction of Resolutions,
Senate and Concurrent**

Senator Bajoie asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Resolutions, Senate and Concurrent, a first and second time and acting upon them as follows:

**SENATE RESOLUTION NO. 60—
BY SENATOR MOUNT**

A RESOLUTION

To urge and request the Louisiana State Law Institute to study the feasibility of a parenting coordination act.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Senate and Governmental Affairs.

**SENATE CONCURRENT RESOLUTION NO. 27—
BY SENATOR THEUNISSEN**

A CONCURRENT RESOLUTION

To recognize and commend Mark Musick upon the occasion of his retirement as president of the Southern Regional Education Board after more than two decades of distinguished service to the sixteen member states.

Page 2 SENATE

April 28, 2005

4th DAY'S PROCEEDINGS

The resolution was read by title. Senator Theunissen moved to adopt the Senate Concurrent Resolution.

YEAS

Mr. President	Cravins	Marionneaux
Adley	Dardenne	McPherson
Amedee	Duplessis	Michot
Bajoie	Dupre	Mount
Barham	Fields	Murray
Boasso	Fontenot	Nevers
Broome	Gautreaux B	Schedler
Cain	Gautreaux N	Smith
Chaisson	Lentini	Theunissen
Cheek	Malone	Ullo
Total - 30		

NAYS

Total - 0

ABSENT

Ellington	Jackson	Romero
Heitmeier	Jones	
Hollis	Kostelka	
Total - 7		

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

Message to the Secretary of State

SIGNED SENATE CONCURRENT RESOLUTIONS

April 28, 2005

To the Honorable Secretary of State:

The President of the Senate and the Speaker of the House of Representatives have signed the following Senate Concurrent Resolutions:

SENATE CONCURRENT RESOLUTION NO. 17— BY SENATOR SCHEDLER AND REPRESENTATIVE MCVEA A CONCURRENT RESOLUTION

To recognize and commend Louisiana native Kim Mulkey-Robertson, Head Coach of the Baylor University Lady Bears, for her leadership throughout the season culminating in the 2005 NCAA Women's National Basketball Championship.

SENATE CONCURRENT RESOLUTION NO. 18— BY SENATOR SCHEDLER A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of Mrs. Dolores "Dodie" Brisbi Treen, former first lady of Louisiana.

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate

Privilege Report of the Committee on Senate and Governmental Affairs

ENROLLMENTS

Senator Jones, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

April 28, 2005

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Resolutions have been properly enrolled:

SENATE RESOLUTION NO. 7— BY SENATOR FIELDS A RESOLUTION

To proclaim Thursday, April 28, 2005, as Workers' Memorial Day in recognition of workers killed, injured and disabled on the job.

SENATE RESOLUTION NO. 8— BY SENATOR BROOME A RESOLUTION

To acknowledge the service of Claude Jeffrey LeDuff and to commend him on his much deserved appointment as the new chief of the Baton Rouge Police Department.

SENATE RESOLUTION NO. 14— BY SENATOR MARIONNEAUX A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army National Guard Sergeant Isiah J. Sinclair upon his death in Operation Iraqi Freedom.

SENATE RESOLUTION NO. 57— BY SENATOR BAJOE A RESOLUTION

To commend the office of public health within the Department of Health and Hospitals for developing the Louisiana's Chronic Kidney Disease Surveillance Report.

SENATE RESOLUTION NO. 58— BY SENATORS HINES, ADLEY, AMEDEE, BAJOE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HEITMEIER, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, ROMERO, SCHEDLER, SMITH, THEUNISSEN AND ULLO A RESOLUTION

To express the condolences of the Senate of Louisiana upon the death of Senator Ronald C. "Ron" Bean, a Louisiana hero.

SENATE RESOLUTION NO. 9— BY SENATOR B. GAUTREAUX A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana on the death of former Louisiana State Senator, Jack Fruge.

SENATE RESOLUTION NO. 15— BY SENATOR MARIONNEAUX A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army National Guard Specialist Warren A. Murphy upon his death in Operation Iraqi Freedom.

SENATE RESOLUTION NO. 59— BY SENATOR BAJOE A RESOLUTION

To commend Willie Mae Seaton upon the selection of her restaurant, Willie Mae's Scotch House, as a recipient of the American Classic Award from the James Beard Foundation.

Respectfully submitted,
CHARLES D. JONES
Chairman

The foregoing Senate Concurrent Resolutions were signed by the President of the Senate.

Leaves of Absence

The following leaves of absence were asked for and granted:

Ellington	1 Day	Heitmeier	1 Day
Hollis	1 Day	Jackson	1 Day
Kostelka	1 Day	Romero	1 Day

Adjournment

Senator Bajoie moved that the Senate adjourn until Monday, May 2, 2005, at 4:00 o'clock P.M.

The President of the Senate declared the Senate adjourned until 4:00 o'clock P.M. on Monday, May 2, 2005.

GLENN A. KOEPP
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk